



Practitioner's Docket No. 115699-31

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James W. Forbes

Application No.: 09/804,050

Group No.: 3617

Filed: March 12, 2001

Examiner: Olsen, Lars A.

For: DROPPED DECK CENTER BEAM RAILROAD CAR

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION TO CLAIM BENEFIT UNDER 35 U.S.C. 120, 121, OR 365(C) OF A PRIOR
COPENDING NONPROVISIONAL APPLICATION OR INTERNATIONAL APPLICATION
DESIGNATING THE UNITED STATES OF AMERICA
(37 C.F.R. 1.78(a)(3))**

1. Applicant hereby petitions, in accordance with § 1.78(a)(3), to claim the benefit, for this application under 35 U.S.C. 120 of prior copending nonprovisional application no.: 09/705,056; filing date: November 2, 2000.
2. Applicant states that the entire delay between the date the claim for the benefit of the earlier application was due under paragraph (a)(2)(ii) of 37 C.F.R. § 1.78 and the date this claim is filed was unintentional.

CERTIFICATION UNDER 37 C.F.R. ' ' 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10*

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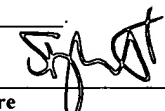
TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____

Date:

8 Dec. 2003

Signature


JAMES W. FORBES

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

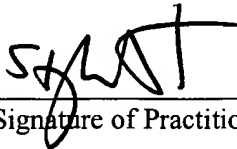
3. The surcharge fee set forth in § 1.17(t) required by 37 C.F.R. 1.55(c)(1), is paid as follows:

Authorization is hereby made to charge the amount of \$1,300.00 to Deposit Account No. 15-0450.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

Date: 8 Dec. 2008

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Signature of Practitioner
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